

## LANDSCAPE ARCHITECTURAL EXAMINING BOARD[193D]

### Adopted and Filed

Pursuant to the authority of Iowa Code section 544B.5, the Landscape Architectural Examining Board amends Chapter 1, “Description of Organization,” and Chapter 2, “Examinations and Licensing,” Iowa Administrative Code.

These amendments provide a more comprehensive definition and description of the “retired” status for registrants. These amendments also improve service to registrants.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 18, 2012, as **ARC 0086C**. A public hearing was held on Thursday, May 10, 2012, from 9 to 11 a.m. at the offices of the Professional Licensing Bureau, 1920 SE Hulsizer Road, Ankeny, Iowa. No comments were received. Since publication, a grammatical change was made to the last sentence of paragraph 2.8(8)“c” in Item 5; otherwise these amendments are identical to those published under Notice of Intended Action.

These amendments were adopted by the Board on June 26, 2012.

These amendments are subject to waiver or variance pursuant to 193—Chapter 5.

After analysis and review of this rule making, no adverse impact on jobs has been found. The rule making defines the term “landscape architect, retired.” Although there should be no impact on jobs, the Board will continue to work with stakeholders to minimize any negative impact and maximize any positive impact toward jobs.

These amendments are intended to implement Iowa Code sections 544B.1 and 544B.13.

These amendments will become effective on August 29, 2012.

The following amendments are adopted.

ITEM 1. Adopt the following new definitions of “Landscape architect, retired” and “PLA” in rule **193D—1.1(544B,17A)**:

“*Landscape architect, retired*” means a person who has retired from working as a landscape architect in all states of registration, who has requested “landscape architect, retired” status on the licensure renewal form, and whose request for “landscape architect, retired” status has been approved by the board. For the purpose of these rules, a “professional landscape architect, retired” may be referred to as a “landscape architect, retired.”

“*PLA*” means professional landscape architect.

ITEM 2. Amend rule **193D—2.1(544B,17A)**, definition of “Landscape architect, retired,” as follows:

“*Landscape architect, retired*” means a person who ~~held a license as a professional landscape architect and who is retired from the practice of landscape architecture in all states of registration~~ has retired from working as a landscape architect in all states of registration, who has requested “landscape architect, retired” status on the licensure renewal form, and whose request for “landscape architect, retired” status has been approved by the board.

ITEM 3. Amend subrule 2.8(1) as follows:

**2.8(1)** It is the policy of the board to ~~mail~~ e-mail to each registrant a notice of the pending expiration date at the registrant’s last-known address approximately one month prior to the date the certificate of registration is scheduled to expire. Failure to receive this notice does not relieve the registrant of the responsibility to timely renew the certificate and pay the renewal fee. A registrant should contact the board office if the registrant does not receive a renewal notice prior to the date of expiration.

ITEM 4. Amend subrule 2.8(7) as follows:

**2.8(7)** Retired status. A person who ~~held a license as a professional landscape architect and who is retired from the practice of landscape architecture in all states of registration~~ may use the title “landscape architect, retired” or “L.A., retired,” respectively, in the context of non-income-producing personal activities: registration as a professional landscape architect, who is retired from the practice of landscape architecture in all states of registration, and who has applied for and has been granted retired

status from the board may use the title “professional landscape architect, retired” or “PLA, retired.” If the board determines an applicant is eligible, the retired status would become effective on the first scheduled registration renewal date. Applicants do not need to reinstate an expired registration to be eligible for retired status. Applicants may apply for retired status on forms provided by the board. The board will not provide a refund of biennial registration fees if an application for retired status is granted in a biennium in which the applicant has previously paid the biennial fees for either active or inactive status. Licensees with retired status are exempt from the renewal requirement.

*a. Permitted practices.* Persons registered in retired status may engage in the practices identified in paragraph 2.8(8)“c.” Such persons may also provide services as technical experts before a court, including pre-litigation preparation, discovery, and testimony, on matters directly related to landscape architectural services provided by such persons prior to registering with the board in retired status.

*b. Exemption.* A person whose registration as a landscape architect has been placed on probation, suspended, revoked, or voluntarily surrendered in connection with a disciplinary investigation or proceeding shall not be eligible for retired status unless the board, upon appropriate application, first reinstates the registration to good standing.

ITEM 5. Amend paragraph 2.8(8)“c” as follows:

*c. Permitted practices.* A person may, while registered as inactive or retired, perform for a client, business, employer, government body, or other entity those services which may lawfully be provided by a person to whom a certificate of registration has never been issued. ~~Such~~ For an “inactive” registrant, ~~such~~ services may be performed as long as the person does not in connection with such services use the title “landscape architect” or any other title restricted for use only by landscape architects pursuant to Iowa Code section 544B.18 (with or without additional designations such as “inactive”). Restricted titles may be used only by active landscape architects who are subject to continuing education requirements to ensure that the use of such titles is consistently associated with the maintenance of competency through continuing education. A “landscape architect, retired” may use the “landscape architect, retired” title; however, the person shall inform anyone to whom the person is providing services that the person once held an active landscape architect license but is no longer actively licensed or permitted to practice landscape architecture.

ITEM 6. Amend rule 193D—2.10(544B,17A) as follows:

**193D—2.10(544B,17A) Fee schedule.** The appropriate examination fee or examination exemption filing fee shall accompany the application. Filing fees are not refundable.

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| Examination fee  | not to exceed \$1000 |
| Initial examination filing fee   | \$50                 |
| Proctoring fee   | \$50                 |
| Examination exemption fee  | \$300                |
| (This certificate of registration is to be effective to the June 30 which is at least 12 months beyond the date of the application.) |                      |
| Wall certificate fee   | \$50                 |
| Wall certificate replacement fee   | \$25                 |

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| Certificate of registration fee   | \$15/month          |
| (This certificate of registration is to be effective the day<br>of board action until June 30.) |                     |
| Biennial registration fee (active)  | \$350               |
| Biennial registration fee (inactive)  | \$100               |
| Reinstatement of lapsed registration  | not to exceed \$750 |
| <u>“Landscape architect, retired” status</u>  | <u>\$0 (No fee)</u> |

[Filed 6/27/12, effective 8/29/12]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 7/25/12.